



STATE OF WASHINGTON

## STATE BUILDING CODE COUNCIL

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November 18, 2005

TO: Council and Interested Parties  
FROM: Tim Nogler, Council Staff  
SUBJECT: Nightclub Rule

### COUNCIL ACTION IS REQUIRED

At the November 4 meeting, the Council approved the attached language for the fire code and building code, related to fire sprinklers in nightclubs, pending input from the Fire Protection Policy Board.

Committee Action on final adoption is required.

The Fire Protection Policy Board is scheduled to review the language at their meeting on November 30. Input from the Board will be immediately posted on the Council website and distributed to Council members for consideration at the meeting on December 1.

If you have any questions or need additional information, please contact me at (360) 725-2969. Thank you for your consideration.

AMENDATORY SECTION (Amending WSR 04-01-105, filed 12/17/03, effective 7/1/04)  
AMENDATORY SECTION (Amending WSR 04-01-108, filed 12/17/03, effective 7/1/04)

**Fire Code: WAC 51-54-0200 Chapter 2--Definitions.**  
**Building Code: WAC 51-50-0200 Chapter 2--Definitions.**  
*Add the following definition:*

**NIGHTCLUB.** An establishment, other than a theater with fixed seating, which includes all of the following:

1. Provides live entertainment by paid performing artists or by way of recorded music conducted by a person employed or engaged to do so;
2. Has as its primary source of revenue the sale of beverages of any kind for consumption on the premises and/or cover charges;
3. Has an occupant load of 100 or more as determined by the fire code official; and
4. Includes assembly space without fixed seats considered concentrated or standing space per Table 1004.1.2.

Paid performing artists are those entertainers engaged to perform in a for-profit business establishment.

**Fire Code: WAC 51-54-0900 Chapter 9--Fire protection systems.**

**Building Code: WAC 51-50-0903 Section 903--Automatic sprinkler systems.**

*Add the following new subsection:*

**903.2.1.6 Nightclub.** An automatic sprinkler system shall be provided throughout an occupancy with a nightclub. Existing nightclubs constructed prior to July 1, 2006, shall be provided with automatic sprinklers not later than December 1, 2007. The fire code official, for the application of this rule, may establish an occupant load based on the observed use of the occupancy in accordance with Table 1004.1.2.